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March 8, 2019

Honorable I. Leo Glasser
Senior United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Timoshenko v. Mullooly, Jeffrey, Rooney & Flynn, LLP
17-cv-04472 (ILG)(ST)

Dear Senior District Judge Glasser:

As Your Honor may recall, I am counsel for the Defendant named in the above-entitled Fair Debt Collection Practices Act (FDCPA) lawsuit. On March 30, 2018, Your Honor granted Defendant's motion for judgment on the pleadings and directed Plaintiff's attorney, Igor Litvak, to show cause why he should not be sanctioned for violating Fed. R. Civ. P. 11(b)(2) and whether he should not be ordered to pay the Defendant's attorneys fees and costs pursuant to 28 U.S.C. § 1927. On May 4, 2018, Your Honor held a hearing in regard to the sanctions order to show cause. As of date, no decision has been issued by Your Honor in regard to the issue of sanctioning Mr. Litvak.

On March 5, 2019, District Judge Brian Cogan, in another FDCPA lawsuit wherein Mr. Litvak is named as a counsel for a consumer plaintiff, *Saraci v. Convergent Outsourcing, Inc.*, 18-cv-6505, granted summary judgment to the debt collector named in said lawsuit. I attach a copy of said decision herewith. I refer Your Honor to page 6 of the decision wherein Judge Cogan chastised the plaintiff's attorneys, including Mr. Litvak, for filing a baseless FDCPA lawsuit. Judge Cogan's admonishment of Mr. Litvak and his two co-counsels provides a further support for Your Honor to sanction Mr. Litvak in conjunction with the filing of the above-entitled lawsuit frivolous FDCPA lawsuit.

Respectfully submitted,

/ s / Robert L. Arleo

Robert L. Arleo

RLA:gra

cc: All attorneys of records via ECF
Mullooly, Jeffrey, Rooney & Flynn, LLP

